

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE		PAGE OF PAGES 1 6	
2. AMENDMENT/MODIFICATION NO. 000005		3. EFFECTIVE DATE 09/03/2008		4. REQUISITION/PURCHASE REQ. NO.	
5. PROJECT NO. (If applicable) AREA A POWER		6. ISSUED BY CODE DHS/OPO/DEPT.OPS		7. ADMINISTERED BY (If other than Item 6) CODE DHS/OPO/DEPT.OPS	
Department of Homeland Security Office of Procurement Operations Departmental Operations Division Room 3051-65, Attn: Paula Nusbaum 245 Murray Lane, SW, Bldg 410 Washington DC 20528		Department of Homeland Security Office of Procurement Operations Departmental Operations Division Room 3051-65, Attn: Paula Nusbaum 245 Murray Lane, SW, Bldg 410 Washington DC 20528			
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x) 9A. AMENDMENT OF SOLICITATION NO. HSHQDC-08-R-00070 9B. DATED (SEE ITEM 11) 08/08/2008 10A. MODIFICATION OF CONTRACT/ORDER NO. 10B. DATED (SEE ITEM 11)			
CODE		FACILITY CODE			

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☒ is extended, ☐ is not extended.  
 Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

**12. ACCOUNTING AND APPROPRIATION DATA (If required)**

**13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor ☐ is not, ☐ is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

**14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)**

Tax ID Number: Not Available

DUNS Number: Not Available

Revisions to the solicitation begin on Page 2.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Johnnie Lewis-Banks	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED

## **SOLICITATION AMENDMENTS**

1. The pre-proposal conference and site visit slides and sign-in sheets are attached to this amendment.
2. The proposal due date is amended as follows:

L-10 is replaced in its entirety by the following:

Proposals are due on Thursday, September 18<sup>th</sup>, 2008 no later than 1:00 PM EST.

On the SF1442 Block 13a is changed from 09/12/2008 to 09/18/2008.

3. The replacement of substations is no longer required for this project. See Part II Drawings E-005 and ED-006.
4. Part II Drawings C-003-C015 and C-018-C-020 are replaced by the attached drawings.
5. The Geotechnical Report is attached to this amendment.
6. Not all of the questions received by the Office of Procurement Operations are addressed in this amendment. OPO plans to issue responses to these questions on or around September 8, 2008.

## **QUESTIONS AND RESPONSES**

<b>Question</b>		<b>Response</b>
1	The drawings indicate the Electrical Generators are to be rated 2500KW each, which is the Caterpillar Standby Rating. However, drawing E-321 contains General Note 2 which states "Prime Power Diesel Driven Units Shall Be Operated 24/7." Additionally, Specification section 16231 at 1.3 – D, E, and F provides definitions for Standby, Prime, and Continuous ratings, but does not indicate which rating is to be used. Please clarify.	General Note No. 2 on Drawing E-321 is meant to clarify the facility is a 24/7 facility. It is not meant to convey the generators are to be rated for prime use. Generators are specified as 2.5 MW standby. Please refer to note on Detail No. 1 on Sheet E-312 for further clarification on generator specification.
2	Spec. Section 16060-3 3.1 B. requires an underground grounding conductor installed above the duct bank. The duct bank details on the drawings do not indicate this cable. Does the written specifications take precedence over the large details?	There is no grounding conductor required for lightning protection above the ductbanks.
3	Spec. Section 16060-7 3.6 A & B appear to conflict with each other. Does the Owner or the Contractor have to engage a qualified testing	The Contractor shall engage a qualified testing agency for grounding and bonding testing.

	agency?	
4	Spec. Section 16073-1 1.2 B. refers to Division 16 Section Vibration & Seismic Controls for Electrical Systems. This section cannot be located in the specifications. Please advise.	Delete reference to Seismic Section in Specification Section 16073.
5	Please include a Unit Price Item for Rock Excavation on the proposal form.	Specification Section 01220 Unit Prices is deleted in its entirety. Any other references to unit prices in the specifications are also deleted. The Offeror shall not submit unit prices for rock excavation with their proposal. The Offeror shall assume that rock removal will be 300 cubic yards. If additional rock removal is needed, it will be dealt with as a differing site condition.
6	Contract Drawing E-104 detail 1 indicates 1 set of feeders to the station switch equipment. Should two sets be indicated?	That is correct. Two sets of feeders are required to the switching stations.
7	Please provide the dimensions of the SCADA cabinet as indicated on Contract Drawing E-103 detail 3.	The SCADA system design is not a contractual element of Parts II and III but provisions for a future SCADA system design and installation is part of Parts II and III. The dimensions of the cabinet will be part of the SCADA system design.
8	Please be more specific regarding the interface requirements necessary for the SCADA system per Spec. Section 16342-13 K.2.c.	See Question and Response # 7.
9	Please confirm that splices are acceptable at pull points in the manholes per 16124-3 2.3 for NOVEC & Allegheny power company cables in lieu of junction terminal bars.	Splices are acceptable at pull points in the Mount Weather owned and maintained manholes.
10	Please confirm the location of the available source of temporary electric power for Building 714.	Temporary electric power is available for the Contractor on the west side of the facility.
11	Define differences in Phase II and III plans – Solicitation version and Amendment 000003.	The drawings that were issued through Amendment 00003 changed the drawings from color to black and white and corrected the drawings that were cutoff on the right side.
12	What is usability level of the drawings, 100%, IFC?	The drawings are 100% drawings.
13	Can any of the DHS vendors be used...EK Fox?, Cervantes?	No, these vendors may not be used by the Offeror's since it would be a conflict of interest for these companies to assist a Contractor in their proposal preparation.
14	How heavy is the Protégé program weighed in making GC selection?	There are no weighted factors in this solicitation. An Offeror's response to this element will be either acceptable or unacceptable. While it is not a

		requirement that the Offeror participate in the Mentor-Protégé Program, all Offeror's are required to address this in their technical proposals as is set forth in L-6 of the RFP.
15	Limits of Staging and spoils area.	This should not be a problem as there is plenty of space for staging and spoils areas. The Contractor may use the area that is cleared for Building 714.
16	Use of Cellular tower/antennas for communication/internet	The Contractor may set up their own cellular tower/antennas for communication/internet. The Contractor shall not connect to the Government's tower/antennas.
17	Where are allowances to be listed in Cost Proposal?	Allowances are not permitted in this contract since it is a firm-fixed price contract. However, Offeror's may discuss their assumptions and exceptions in the business proposals as is set forth in L-7 of the RFP.
18	Is a Preliminary Construction Schedule part of the Technical?	No, a primary construction schedule is not required to be submitted in the technical proposal.
19	Will DHS provide a list of approved testing agencies to the successful GC?	No, the Government does not plan to provide a list of approved testing agencies to the successful Contractor.
20	Will DHS consider shouldering the burden for Asbestos and PCB removal?	Asbestos and PCB removal is required in this contract. However, if asbestos and PCB is discovered and required to be removed during performance of the contract, it will be dealt with as a differing site condition.
21	Confirm that DHS provides/pays for the independent testing agency performing GeoTechnical work.	That is incorrect. The Contractor shall provide/pay for the independent testing agency performing GeoTechnical work.
22	Are additional site visits available?	No, there will not be any more site visits for this requirement.
23	Is the Power Monitoring system to be tied to an existing system?	No.
24	Where will the Fuel Oil Controller Panel/alarm report to?	The Fuel Oil Controller Panel/alarm will report to Building 714.
25	Provide list of companies currently providing Service/Maintenance agreements	The Government performs service and maintenance on the facility.
26	What would be involved in adding another possible site visit?	See Question and Response #22
27	Due to the magnitude of the civil works made apparent during the site visit of Aug, 26, 08 and coupled with the issue of the original dwgs which had to be replaced on Aug. 19, 08, we respectfully request a 2 week extension so that we may better prepare our bid to provide DHS with the best possible proposal value.	See Solicitation Amendment #2 above.

28	Is Geotech report available?	See Solicitation Amendment #5 above.
29	What are the limitations of machine vs. hand digging/exploration?	This most likely relates to the areas where the slope may be so steep that would not be accessible by machine. The Offeror would have to determine that based on their equipment and the terrain from the plans or the site visit.
30	Can blasting be performed in open areas?	Explosives are not allowed per Specification Section 02300 paragraph 3.3.A.
31	Request again for Site Visit.	See Question and Response #22
32	The solicitation mentions that the proposals should be emailed to you by the 12 <sup>th</sup> . Is it acceptable for us to send out the additional Hard Copy by FedEx over night on the 12 <sup>th</sup> so you will receive it the 13 <sup>th</sup>	Hard copies are not required for this solicitation. The proposals shall be submitted as set forth in L-9 and L-10 in the RFP.
33	Page 36 of 40 under FAR and HSAR Provisions/Clauses. HSAR 3052.209-70 Prohibition on Contracts with Corporate Expatriates, there is no form attached in the solicitation to be filled out and the instructions says we must fill out and submit with the bid. Please explain.	The HSAR clause that needs to be filled out is located on pages 23-25 in the RFP.
34	In addition, please confirm that in lieu of submitting the bid in person that this bid can be submitted electronically.	Yes, the bid shall be submitted electronically. The Government reserves the right to request a hard copy of the bond.
35	Sheet C-021 part II indicates continuation on sheet C-020 Erosion Control, however the only sheet C-020 available is for Part III and details storm drain profiles.	See Solicitation Amendment #4 above.
36	In general there seems to be a disconnect on the Civil sheets, where the Part III civil dwgs have mistakenly been inserted in part II. It seems we're missing 20 Civil sheets for Part II.	See Solicitation Amendment #4 above.
37	Specification 02260 paragraph 1.6B states that a geotechnical report was prepared for this project and sheet C-002 of Part III shows borings have been performed. Can we get a copy of this report and/or a copy of the boring logs?	See Solicitation Amendment #5 above.
38	Could you please tell me the (NAICS) number for this solicitation.	The NAICS code is 237130 Power and Communication Line and Related Structures Construction.
39	Please confirm that all fuel for the	The Contractor shall furnish and install all fuel oil

	day tank and fuel oil tanks will be contractor furnished.	and day tanks for project.
40	Section 01210-3,para.3.3A states that we are to be paid for rock removal per a unit price. There are no unit prices on the bid form. Please clarify.	See Question and Response # 5.
41	Is there a geotechnical report available?	See Solicitation Amendment #5 above.
42	Do past performance questionnaires count towards our 25 page count for the technical portion?	Yes.
43	Page 36 of 40 of the solicitation at the bottom, it references HSAR 3052.209-70 Prohibition on Contracts with Corporate Expatriates. This form is not in the solicitation and the Offeror is asked to fill this form out. Please advise.	See Question and Response #33
44	In addition, are the Offerors permitted to submit the bid electronically on bid day?	See Question and Response #34
45	The Index of Specification and the Specifications do not include the following: Unit Prices mentioned in the Allowances section, Division 6 sections, Roofing, Signage, Crane Monorail, Flooring, Fire Extinguishers and Cabinets, Anti Fatigue Mats, Insulated Metal Panels, Fire Sprinkler System. Please provide specifications for these items.	See Question and Response #5
46	Can the bid documents be put on our internet ... site for subcontractor downloads and printing?	Yes.
47	We formally request a bid postponement of two weeks to allow the subcontract community additional time to prepare their estimates following the labor day long weekend holiday.	See Solicitation Amendment #2
48	Please provide sign-in sheet from the site visit.	See Solicitation Amendment #1